

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1184**

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In Re: GOFF BUILDING, LLC,

Debtor.

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JERRY A. BERARDI; BETTY J. BERARDI,

Plaintiffs - Appellants,

and

GOFF BUILDING, LLC,

Plaintiff,

versus

NORWEST BANK, MINNESOTA, NA, Assignee of  
Merrill Lynch Credit Corporation; AMERESCO  
MANAGEMENT, INCORPORATED; ROBERT W. DINSMORE,  
substitute trustee,

Defendants - Appellees,

and

UNITED STATES BANKRUPTCY COURT, Northern  
District of West Virginia,

Party in Interest - Appellee.

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Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Frederick P. Stamp, Jr., District Judge. (CA-02-50-1, BK-99-12207, AP-00-1195)

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Submitted: July 31, 2003

Decided: August 25, 2003

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Before WIDENER, WILLIAMS, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Brent E. Beveridge, BEVERIDGE LAW OFFICES, Fairmont, West Virginia, for Appellants. Julia A. Chincheck, Eric L. Calvert, BOWLES, RICE, MCDAVID, GRAFF & LOVE, P.L.L.C., Charleston, West Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Jerry A. Berardi and Betty J. Berardi appeal from the district court's order affirming the bankruptcy court's orders denying their motion to remand their case back to the state court and denying their motion for leave to amend their complaint. We have reviewed the parties' briefs, the joint appendix and supplement to the joint appendix, and the lower courts' opinions and find no abuse of discretion and no reversible error. Accordingly, we affirm for the reasons stated by the district court. Berardi v. Norwest Bank Minn., NA, Nos. CA-2-50-1; BK-99-12207; AP-00-1195 (N.D.W Va. Jan. 23, 2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED